

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

**IN RE ATHENEX, INC. SECURITIES
LITIGATION**

No. 21-cv-00337-LJV-HKS

CONSOLIDATED CLASS ACTION

This Document Relates To:

All Actions.

**NOTICE OF MOTION FOR PARTIAL LIFTING OF STAY IMPOSED BY
COURT'S ORDER DATED MAY 30, 2023**

TO: THE CLERK OF THE COURT, ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Lead Plaintiff John McKenzie respectfully moves this Court for an Order lifting the stay imposed by the Court's May 30, 2023 Order to permit this action to proceed against Defendants Rudolf Kwan, Johnson Y.N. Lau, Jeffrey Yordon and Timothy Cook.

This motion is based on this Notice and the Memorandum of Law filed herewith, the Court's complete files and records in this action, as well as such further argument as the Court may allow at a hearing on this motion.

DATED: June 23, 2023

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by CM/ECF on June 23, 2023, on all counsel or parties of record. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

/s/ Deborah Clark-Weintraub
Deborah Clark-Weintraub